

REMARKS/ARGUMENTS

Claims 1, 2, 5, 8, and 10-19 are active. Claim 1 has been amended to incorporate the limitations 6 and 9. Claims 10-13 have been amended to conform to U.S. practice. New Claims 14-16 find support on page 1, first paragraph and page 4 of the specification. Claims 17-19 find support in Examples 6 and 7 on page 25. Accordingly, the Applicants do not believe that any new matter has been added. Favorable consideration of this amendment in light of the remarks below and allowance of the case are respectfully requested.

Objection

Claims 5-9 were objected to as being improper multiple dependent claims. This objection is moot in view of the amendments above.

Rejection—35 U.S.C. §112, second paragraph

Claims 3 and 13 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. These rejections are moot in view of the amendments above.

Rejection—35 U.S.C. §101

Claim 13 was rejected under 35 U.S.C. 101 as being a non-statutory “use claim”. This rejection is now moot.

Rejection—35 U.S.C. §102/103(a)

Claims 1-4 and 13 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as being unpatentable over JP 07-277923. This rejection was not applied to claims 6 and 9, whose limitations have now been incorporated

into independent claim 1. Accordingly, this rejection no longer applies and may be withdrawn.

Rejection—35 U.S.C. §103(a)

Claims 1-4, 11 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over JP 07-277923, in view of Ziemelis, et al., U.S. 4,472,566. This rejection was not applied to claims 6 and 9, whose limitations have now been incorporated into independent claim 1. Moreover, the compositions in JP 07-277923 is in a solid form. Accordingly, this rejection no longer applies and may be withdrawn.

Rejection—35 U.S.C. §103(a)

Claims 1-4, 11-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over JP 07-277923, in view of Ziemelis, et al., U.S. 4,472,566 and further in view of Smith, et al., U.S. 6,001,380. This rejection was not applied to claims 6 and 9, whose limitations have now been incorporated into independent claim 1. Accordingly, this rejection no longer applies and may be withdrawn.

Conclusion

In view of the amendments and remarks above, the Applicants respectfully submit that this application is now in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Thomas M. Cunningham", is written over a horizontal line.

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